

Christopher M. Humes, Esq., Nevada Bar No. 12782
William D. Nobriga, Esq., Nevada Bar No. 14931
BROWNSTEIN HYATT FARBER SCHRECK, LLP
100 North City Parkway, Suite 1600
Las Vegas, Nevada 89106
Telephone: (702) 382-2101
Facsimile: (702) 382-8135
Email: chumes@bhfs.com
wnobriga@bhfs.com

Attorneys for Plaintiffs

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

BOARD OF TRUSTEES OF THE
ELECTRICAL WORKERS HEALTH AND
WELFARE TRUST; BOARD OF
TRUSTEES OF THE ELECTRICAL
WORKERS PENSION TRUST,

Plaintiffs,

vs.

MC4 CONSTRUCTION, LLC, a Nevada
limited liability company,

Defendant.

Case No. 2:24-cv-01338-APG-EJY

**JOINT STIPULATION AND ORDER TO
EXTEND DISCOVERY DEADLINES**

(FIRST REQUEST)

Plaintiffs, Boards of Trustees of the Electrical Workers Health and Welfare Trust and the Electrical Workers Pension Trust (the “Trust Funds”), through its counsel of record Brownstein Hyatt Farber Schreck, LLP, and Defendant MC4 Construction LLC (“MC4”), through its counsel of record Snell and Wilmer LLP, hereby stipulate to extend the current discovery deadlines by fourteen (14) days, pursuant to Local Rule IA 6-1 and 6-2, and Local Rule 26-3, as follows:

A. DISCOVERY COMPLETED TO DATE:

1. On October 3, 2024, the Trust Funds served initial disclosures.
2. On October 4, 2024, the MC4 served initial disclosures.

1 3. On November 20, 2024, the Trust Funds served their first requests for production
2 of documents and first set of interrogatories.

3 4. On January 3, 2025, MC4 served responses to the Trust Funds' requests for
4 production and interrogatories.

5 5. On January 6, 2025, MC4 served supplemental responses to the Trust Funds'
6 requests for production and interrogatories.

7 **B. DISCOVERY THAT REMAINS TO BE COMPLETED:**

8 The Trust Funds and MC4 still need to conduct depositions of relevant witnesses,
9 including the person most knowledgeable of the parties pursuant to Federal Rule of Civil
10 Procedure 30(b)(6). As explained below, however, the Trust Funds have a claim for the
11 production of documents. MC4 has produced the requested documents and the parties currently
12 are negotiating the parameters of a proposed stay of this litigation to allow the Trust Funds'
13 auditor to complete his audit and the parties to review and address, and hopefully resolve, any
14 findings contained in the audit.

15 **C. REASON DISCOVERY WAS NOT COMPLETED:**

16 Pursuant to LR 26-3(c), the parties describe why they have good cause for a 60-day
17 extension to conduct this remaining discovery:

18 The Trust Funds brought a claim in this action to compel MC4 to produce certain
19 documents. Through its initial disclosures and discovery responses, MC4 has produced the vast
20 majority of the relevant documents. The parties are hopeful that they can amicably resolve any
21 findings revealed by the forthcoming audit without court intervention. As a result, the parties are
22 negotiating the parameters of a stay to propose to the court to allow for the Trust Funds' auditor
23 to complete the audit and for the parties to address any findings. The parties believe that a stay is
24 the most efficient action at this juncture, which will conserve both the court's and the parties'
25 resources. The parties are concerned, however, that too much of the discovery period will elapse
26 while the parties discuss the appropriate amount of time to stay the case. The parties are therefore
27 requesting a two-week extension to the discovery period to complete their discussions regarding a
28

potential stay.

D. CURRENT DISCOVERY SCHEDULE:

1. Discovery Cutoff March 5, 2025
2. Dispositive Motion Cutoff: April 4, 2025
3. Pretrial Order Cutoff: May 2, 2025

E. PROPOSED DISCOVERY SCHEDULE:

1. New Discovery Cutoff: March 19, 2025
2. New Dispositive Motion Cutoff: April 18, 2025
3. New Pretrial Order Cutoff: May 16, 2025

4. In the event dispositive motion(s) are filed, the date for filing the joint pretrial order shall be suspended until 30 days after the Court enters a ruling on the dispositive motions, or otherwise by further order of the Court.

SNELL & WILMER, LLP

BROWNSTEIN HYATT FARBER
SCHRECK, LLP

By: /s/ Paul S. Prior

By: /s/ Christopher M. Humes

Paul S. Prior, Esq.
NV Bar No. 9324
Theresa C. Trenhold, Esq.
NV Bar No. 16460
1700 South Pavilion Center Drive, Suite 700
Las Vegas, Nevada 89135

Christopher M. Humes, Esq.
NV Bar No. 12782
William D. Nobriga, Esq.
NV Bar No. 14931
100 North City Parkway, Suite 1600
Las Vegas, Nevada 89106-4614

Attorneys for Defendant

Attorneys for Plaintiffs

ORDER

IT IS SO ORDERED.


UNITED STATES MAGISTRATE JUDGE

DATED: February 3, 2025

Case No. 2:24-cv-01338-APG-EJY